

Zoning Case 2020-023

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, amending Specific Use Permit No. 90 for Household Care Institution on 7.3 acres of land out of the Eli Murphy Survey, Abstract No. 597 and the D. Yeamans Survey, Abstract No. 1043, located on the south side of 14th Street, 620 feet west of Shiloh Road, in the City of Plano, Collin County, Texas, presently zoned Light Commercial with Specific Use Permit No. 90 for Household Care Institution; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 14th day of September 2020, for the purpose of considering amending Specific Use Permit No. 90 for Household Care Institution on 7.3 acres of land out of the Eli Murphy Survey, Abstract No. 597 and the D. Yeamans Survey, Abstract No. 1043, located on the south side of 14th Street, 620 feet west of Shiloh Road, in the City of Plano, Collin County, Texas, presently zoned Light Commercial with Specific Use Permit No. 90 for Household Care Institution; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 14th day of September 2020; and

WHEREAS, the City Council is of the opinion and finds that amending Specific Use Permit No. 90 for Household Care Institution on 7.3 acres of land out of the Eli Murphy Survey, Abstract No. 597 and the D. Yeamans Survey, Abstract No. 1043, located on the south side of 14th Street, 620 feet west of Shiloh Road, in the City of Plano, Collin County, Texas, presently zoned Light Commercial with Specific Use Permit No. 90 for Household Care Institution, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Specific Use Permit No. 90 for Household Care Institution on 7.3 acres of land out of the Eli Murphy Survey, Abstract No. 597 and the D. Yeamans Survey, Abstract No. 1043, located on the south side of 14th Street, 620 feet west of Shiloh Road, in the City of Plano, Collin County, Texas, presently zoned Light Commercial with Specific Use Permit No. 90 for Household Care Institution, said property being more fully described on the legal description in Exhibit A attached hereto.

Section II. The change in Section I is amended subject to the following restrictions:

1. Maximum number of daily residents: 100
2. Days and Hours of Operation: During the hours of 6:00 p.m. through 7:00 a.m. on days when the temperature is forecasted by the National Weather Service to be 40 degrees Fahrenheit or lower, and on any day(s) chosen by HUD to conduct a national Point-in-Time homeless survey.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 14TH DAY OF SEPTEMBER 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2020-023

WHEREAS, THE SALVATION ARMY, a Georgia Corporation, is the owner of a tract of land situated in the Eli Murphy Survey, Abstract No. 597 and the D. Yeamans Survey, Abstract No. 1043, in the City of Plano, Collin County, Texas, and BEING that tract of land conveyed to The Salvation Army by deed recorded in volume 4326, Page 3499, Deed Records of Collin County, Texas, BEING Lot 4 of Shiloh/544 Addition, and addition to the City of Plano, Texas, recorded in Cabinet G, Page 532, Map Records, Collin County, Texas, and BEING more particularly described as follows:

BEGINNING at a aluminum disk set in concrete found at the northeast corner of said Lot 4, said point BEING at the northwest corner of Lot 1 Shiloh/544 Addition;

THENCE along the common line between said Lot 4 and Lot 1 as follows:

South 03°50'02" West a distance of 310.00 ft. to a 1/2 inch iron rod found for a corner;

South 86°09'58" East a distance of 101.23 ft. to a 5/8 inch rod found for a corner;

South 03°50'02" West a distance of 229.50 ft. to an "x" found in concrete for a corner;

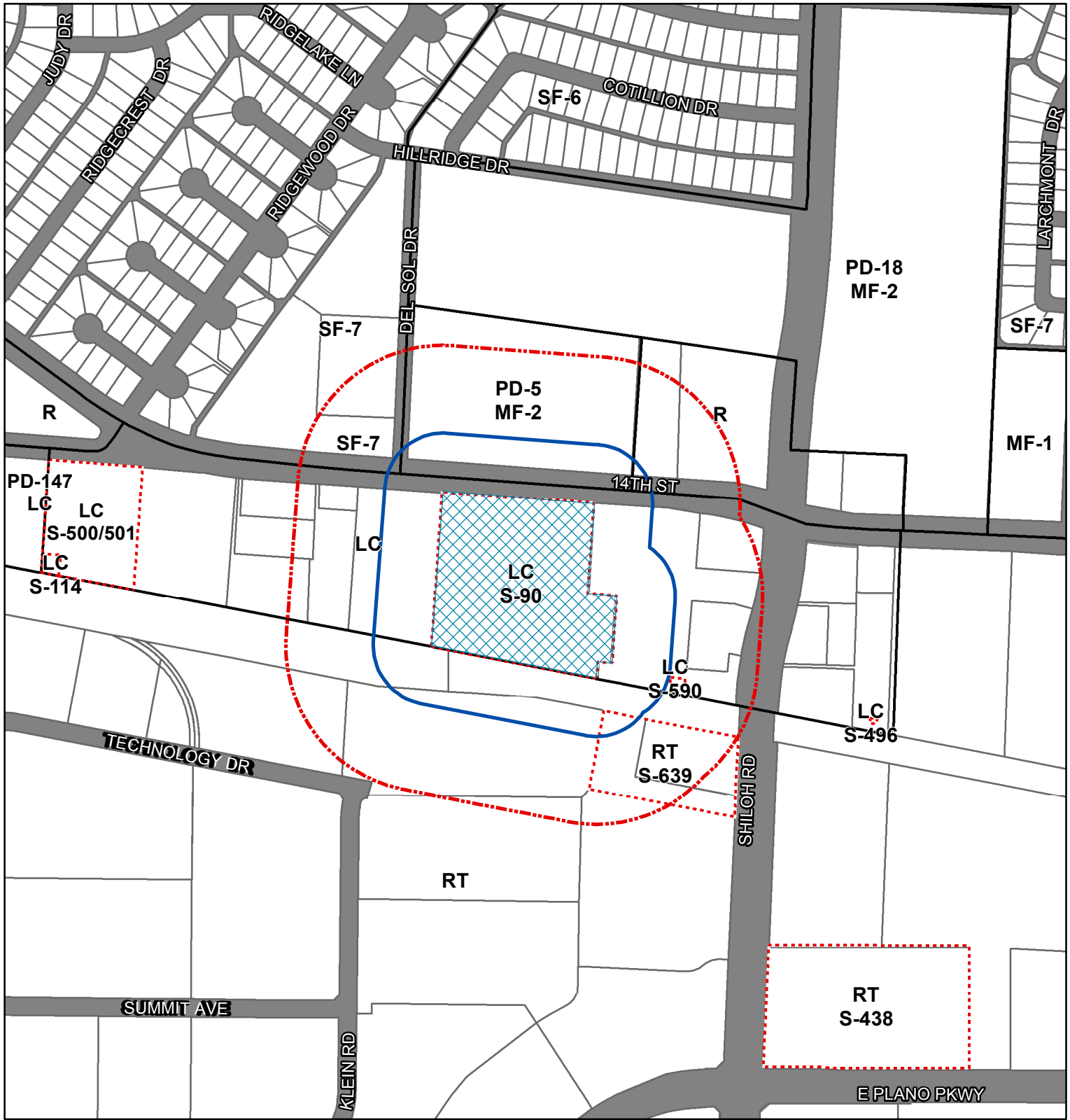
North 86°09'58" West a distance of 50.00 ft. to an "x" found in concrete for a corner;

South 03°50'02" West a distance of 55.00 ft. to a 1/2 inch rod found for a corner;

THENCE North 79°32'12" West a distance of 576.20 ft. along the southerly line of said Lot 4 and the northerly of the St. Louis and Southwestern Railroad 100 ft. right of way to a 1/2 inch iron rod found for a corner;

THENCE North 03°49'17" East a distance of 528.49ft. along the west line of said Lot 4 and the east line of Lot 1, Block A, Public Storage No. 4 Addition, an addition to the City of Plano, Texas recorded in Cabinet F, Page 584, Map Records, Collin County, Texas, to a 1/2 inch iron rod found for a corner;

THENCE South 86°09'58" East a distance of 521.23 ft. along the north line of said Lot 3 and the south line of 14th Street (F.M. 544), a 110 ft. right of way, to the POINT OF BEGINNING AND CONTAINING 7.2799 acres (313,112 square feet of land).

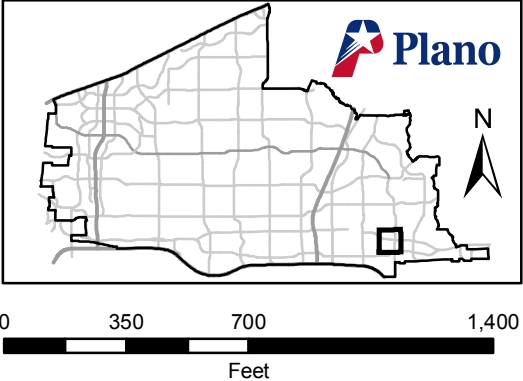


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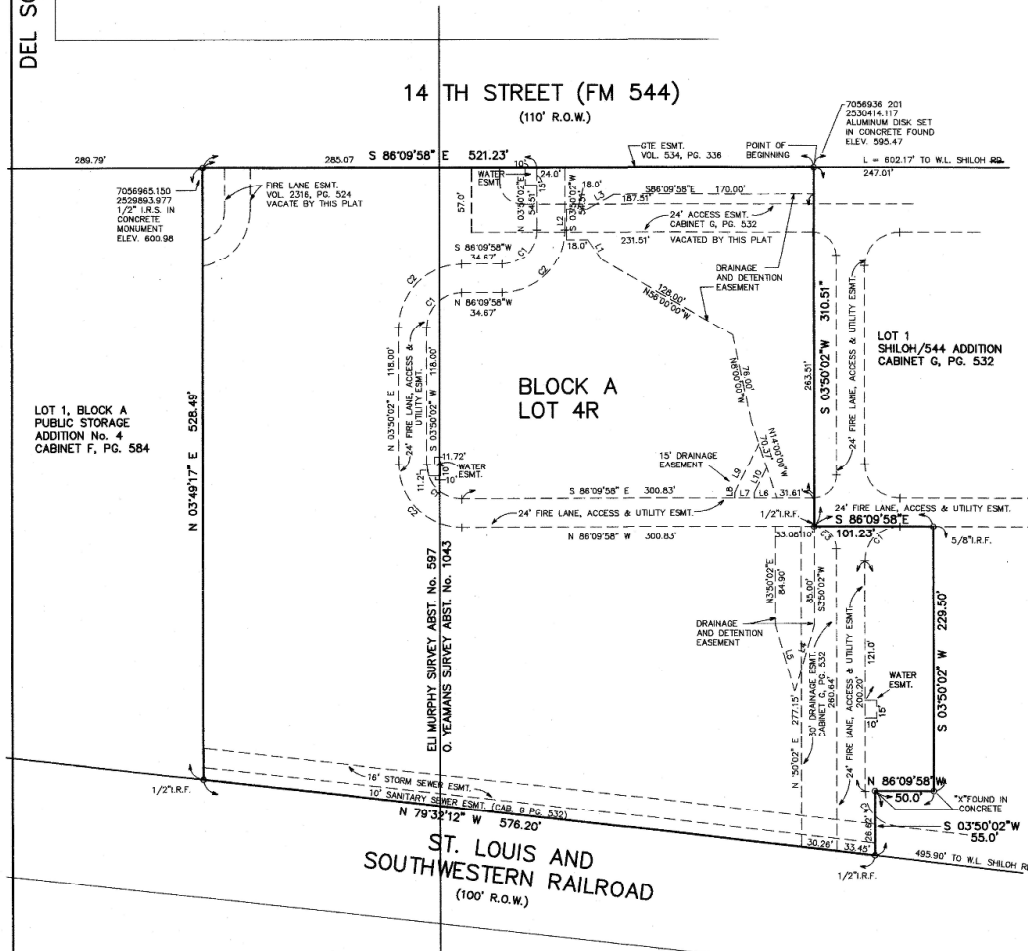
Existing Zoning: Light Commercial with Specific Use Permit No. 90 for Household Care Institution (LC w/ S-90)

Proposed Zoning: Amend Specific Use Permit No. 90 for Household Care Institution (LC w/ S-90)

- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Zoning Boundary Change/SUP
- Specific Use Permit
- Municipal Boundaries
- Zoning Boundary

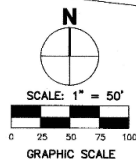


DEL SOL DR.



LINE DATA		
LINE NO.	BEARING	LENGTH
1	N 10°00'00\"	23.00'
2	N 30°50'02\"	28.00'
3	N 84°00'00\"	28.00'
4	S 20°00'00\"	60.00'
5	N 12°00'00\"	60.00'
6	N 86°09'58\"	19.07'
7	N 86°09'58\"	16.54'
8	N 3°50'02\"	5.00'
9	N 29°17'22\"	47.32'
10	S 29°17'22\"	24.25'

CURVE DATA				
CURVE NO.	DELTA	RADIUS	TANGENT	ARC
C1	90°00'00\"	30.00'	30.00'	47.12'
C2	90°00'00\"	24.00'	24.00'	34.89'
C3	90°00'00\"	20.00'	20.00'	31.42'
C4	48°11'00\"	30.00'	12.79'	24.18'



LEGAL DESCRIPTION

WHERE AS, THE SALVATION ARMY, a Georgia Corporation, is the owner of a tract of land situated in the Eli Murphy Survey, Abstract No. 597 and the D. Yeamans Survey, Abstract No. 1043, in the City of Plano, Collin County, Texas, and being that tract of land conveyed to The Salvation Army by deed recorded in volume 4326, Page 3498, Deed Records of Collin County, Texas, being Lot 4 of Shiloh / 544 Addition, and addition to the City of Plano, Texas, recorded in Cabinet G, Page 532, Map Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at an aluminum disk set in concrete found at the northeast corner of said Lot 4, said point being the northwest corner of Lot 1 Shiloh / 544 Addition:

THENCE along the common line between said Lot 4 and Lot 1 as follows:

South 03°50'02" West a distance of 310.00 ft. to a 1/2 Inch iron rod found for a corner;

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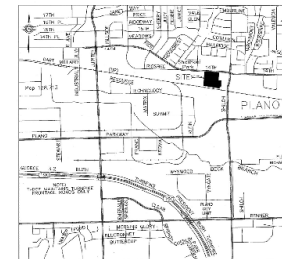
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THENCE North 79°32'12" West a distance of 576.20 ft. along the southerly line of said Lot 4 and the northerly of the St. Louis and Southwestern Railroad 100 ft. right of way to a 1/2 Inch iron rod found for a corner;

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THENCE South 86°09'58" East a distance of 621.23 ft. along the north line of said Lot 4 and the south line of 14th Street (F.M. 544), a 110 ft. right of way, to the Point of Beginning and containing 7.2799 acres (313,112 square feet of land).

"Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan, approval of development standards shown hereon, or the initiation of the development process. Planning & Zoning Commission and/or City Council action on studies, plats, or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case."



VICINITY MAP
NOT TO SCALE

CONTACT

Owner:
THE SALVATION ARMY NORTH TEXAS AREA COMMAND
PLANO CORPS COMMANDING OFFICER
LT. MICHAEL CAIN
TJ972-423-8254
E) michael.cain@uss.salvationarmy.org

ZONING EXHIBIT

DATE OF PREPARATION: 7/27/2020

CITY PROJECT: ZC2020-023
SPECIFIC USE PERMIT FOR HOUSEHOLD CARE INSTITUTION LOT 4R, BLOCK A
SHILOH / 544 ADDITION
OUT OF THE ELI MURPHY SURVEY, ABSTRACT NO. 597
AND
D. YEAMANS SURVEY, ABSTRACT NO. 1043
AN ADDITION TO THE CITY OF PLANO
COLLIN COUNTY, TEXAS
7.2799 ACRES